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PATENT

Attorney Docket No. INK-097
(2108/49)

AFI RCE
2674

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Albert et al.	CONFIRMATION NO.:	1236
SERIAL NO.:	09/917,325	GROUP NO.:	2674
FILING DATE:	July 27, 2001	EXAMINER:	A. Eisen
TITLE:	MICROENCAPSULATED ELECTROPHORETIC DISPLAY WITH INTEGRATED DRIVER		

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

This paper is responsive to the final Office Action mailed from the U.S. Patent and Trademark Office on May 11, 2004, in the above-identified patent application. This Response is submitted as part of a Request for Continued Examination (RCE), filed September 13, 2004, pursuant to 37 CFR § 1.114 and § 1.111. Copies of the previously filed RCE Transmittal and of related papers are enclosed under Tab 1.

A one-month extension of time fee was submitted at the filing of the RCE. Therefore, Applicants hereby submit a check in the amount of \$445.00 to reflect a three-month extension of time fee (\$490.00) minus the fee already tendered (\$55.00), plus the recent increase in the RCE fee (\$10.00). If any additional fee is due, the Director of the U.S. Patent and Trademark Office is hereby authorized to charge any such fee to Deposit Account No. 20-0531.

Applicants respectfully request entry of this Response, reconsideration and withdrawal of all grounds of rejection, and passage of the claims to allowance.

- **Remarks** begin on page 2 of this paper.

COPY

INK-097 (2108/49)

The "RECEIVED" stamp of the Patent Office imprinted hereon acknowledges the filing of: Request for Continued Examination (RCE) Transmittal Form (2 pgs.); Fee Transmittal (1 pg); Petition for Extension of Time (1 pg.); a check in the amount of \$440.00; Copy of Limited Recognition (1 pg); and return receipt postcard all under the same label **Express Mail Mailing** Label No. EV289511961US and mailed to Mail Stop RCE

Name of Applicants: Albert et al.

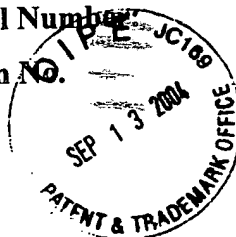
Intf. or Serial Number: 09/917,325

Confirmation No. 1236

Atty: Duan Wu

Date: September 13, 2004

3117327





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September 13, 2004

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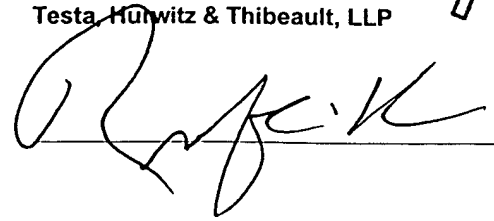
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Docket No. INK-097
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Confirmation No. 1236
U.S.S.N. 09/917,325



SECURITY FEATURES INCLUDED. DETAILS ON BACK.

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FEE TRANSMITTAL

FY 2004

Complete if Known

Application Serial Number 09/917,325
 Filing Date July 27, 2001
 First Named Inventor Albert
 Group Art Unit 2674
 Confirmation No. 1236
 Examiner Name A. Eisen
 Attorney Docket No. INK-097

COPY

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.

☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.

☒ Overpayment Credit.

3. ☒ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	
340	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 86.00 =

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL: 0.00

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 0.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 86.00 =

☐ First Presentation of Multiple Dep. Claim + \$290.00 =

TOTAL: (\$0.00)

SMALL ENTITY DISCOUNT: (\$0.00)

SUBTOTAL (2) (\$) 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	55.00
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)		Request for Continued Examination	385.00
Other fee (Specify)			

SUBTOTAL (3) (\$) 440.00

SUBTOTAL (1) 0.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 440.00

TOTAL (\$) 440.00

CORRESPONDENCE ADDRESS

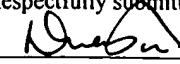
Direct all correspondence to:

Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: September 13, 2004
 Reg. No.: Limited Recognition
 Tel. No.: (617) 248-7808
 Fax No.: (617) 248-7100
 PTO Customer No. 021323


 Duan Wu
 Attorney for the Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Application No.	09/917,325
Filing Date	July 27, 2001
First Named Inventor	Albert
Group Art Unit	2674
Confirmation No.	1236
Examiner Name	A, Eisen
Attorney Docket No.	INK-097

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114(c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114(b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- c. ☐ Amendment/Response enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☐ Information Disclosure Statement (IDS) enclosed.
 - i. ☐ PTO-1449
 - ii. ☐ Copies of IDS Citations
- f. ☐ Other:

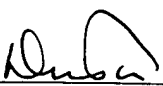
2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☒ Small entity status
 - i. ☒ was established in the prior nonprovisional application.
 - ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☒ A Petition and Fee for Extension of Time for 1 months up to and including September 13, 2004, is enclosed herewith.
- c. ☒ A check in the amount of \$ 440.00 is enclosed to cover the filing and petition fees.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ _____, to Deposit Account No. 20-0531.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

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3. MISCELLANEOUS

- a. ☒ Return Receipt Postcard enclosed.
b. ☒ Copy of Limited Recognition.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
<p>Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100</p>	<p>Respectfully submitted,</p> <p></p> <p>Date: September 13, 2004 Reg. No. Limited Recognition Tel. No.: (617) 248-7808 Fax No.: (617) 248-7100 PTO Customer No. 021323</p> <p>Duan Wu Attorney for Applicant(s) Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110</p>

3117336

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Attorney Docket Number
INK-097

In re Application of Albert

Application Serial No. 09/917,325

Filed: July 27, 2001

Group Art Unit: 2674

Examiner: A. Eisen

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above entitled application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired)

- | | | |
|-------------------------------------|----------------------------------|-----------|
| <input checked="" type="checkbox"/> | One month (37 CFR 1.17(a)(1)) | \$ 110.00 |
| <input type="checkbox"/> | Two months (37 CFR 1.17(a)(2)) | \$ |
| <input type="checkbox"/> | Three months (37 CFR 1.17(a)(3)) | \$ |
| <input type="checkbox"/> | Four months (37 CFR 1.17(a)(4)) | \$ |
| <input type="checkbox"/> | Five months (37 CFR 1.17(a)(5)) | \$ |

- ☒ Applicant claims small entity status under 37 CFR 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: **\$55.00**.

- ☒ A check in the amount of **\$440.00** is enclosed, including **\$55.00** for this petition

- ☐ The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 20-0531. Enclosed is a duplicate of this sheet.

- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0531.

- ☒ Return receipt postcard enclosed.

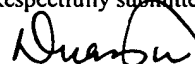
- I am the ☐ assignee of record of the entire interest.
☐ applicant.
☒ attorney or agent of record.
☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

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Direct all correspondence to: Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

 Date: September 13, 2004
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 Tel. No.: (617) 248-7808
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 PTO Customer No. 021323
 Duan Wu
 Attorney for Applicants
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 125 High Street
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